

JUDGE FURMAN

13 CV 1407

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ATTORNEYS FOR PLAINTIFF
TOISA LIMITED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TOISA LIMITED,

Plaintiff,

-against-

PT. TRANSAMUDRA USAHA SEJAHTERA

Defendant.

Civil Action No. 13-CV_____

**ORDER TO ISSUE WRIT OF MARITIME ATTACHMENT AND
GARNISHMENT AND APPOINTING PROCESS SERVER**

On March 1, 2013, Plaintiff, Toisa Limited ("Toisa" or "Plaintiff"), filed a Verified Complaint in the captioned action seeking damages of **\$2,604,413.30** and seeking the issuance of Process of Maritime Attachment and Garnishment pursuant to Rule B of the Supplemental Admiralty Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure.

The Court has reviewed the Verified Complaint and the Supporting Declaration of James H. Power dated March 1, 2013, and finds that the conditions of Supplemental Admiralty Rule B appear to exist.

The Verified Complaint and the Declaration of James H. Power demonstrate that Defendant's (tangible or intangible) property is contained within Correspondent Bank accounts that are located in this district.

ACCORDINGLY, IT IS HEREBY

ORDERED, that Process of Maritime Attachment and Garnishment shall issue against all goods, chattel, credits, letters of credit, debts, effects and monies, funds, cash, deposits, instruments, credits, debits, wire transfers, accounts, letters of credit, freights, sub-freights, charter hire, sub-charter hire, or any other tangible or intangible property, upon whom a copy of the Process of Maritime Attachment and Garnishment may be served, at the time of service, in an amount of up to **\$2,604,413.30**, pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure; and, it is further,

ORDERED, that any person claiming an interest in any property attached or garnished pursuant to this Order shall, upon application to the Court, be entitled to a prompt hearing at which the Plaintiff shall be required to show why the attachment and garnishment should not be vacated; and it is further,

ORDERED, that any person at least 18 years of age and not a party to this action, employed with or appointed by Holland & Knight LLP, be and hereby is appointed to serve this Order and Process of Maritime Attachment and Garnishment on the garnishee; and it is further,

ORDERED, that a copy of this Order be attached to and served with initial service of the Process of Maritime Attachment and Garnishment upon garnishee Royal Bank of Scotland within this District; and it is further,

ORDERED, that a copy of this Order be attached to and served with initial service of the Process of Maritime Attachment and Garnishment upon garnishees Standard Chartered Bank, JP Morgan Chase Bank, N.A., Citibank N.A., Bank of New York Mellon and Wells Fargo Bank N.A., within this District; and it is further,

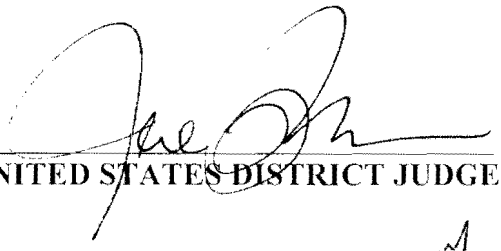
ORDERED, that the above garnishees shall each restrain **\$2,604,413.30** in the Correspondent Bank account of its customer Bank Mandiri (Persero) PT until such time as garnishee is able to determine what funds or credits in its customer Bank Mandiri (Persero) PT's U.S. Dollar correspondent account at the garnishee banks belongs to or is held for the benefit of Defendant PT. Transamudra Usaha Sejahtera;

ORDERED, in the event it is immediately determinable by garnishee whether U.S. dollar funds of Defendant Transamudra are contained in the subaccount of Bank Mandiri's Correspondent Bank account, garnishee shall then immediately restrain those funds, up to **\$2,604,413.30**;

ORDERED, that Plaintiff shall upon request from any garnishee immediately provide all known account numbers to garnishee to facilitate rapid identification of Defendant U.S. dollar funds contained in Transamudra's subaccount of the Bank Mandiri Correspondent Bank account;

ORDERED, that upon determining that it is in possession of any property which may be subject to this Order, any garnishee shall, as soon thereafter as is practicable, advise the Plaintiff of such details about the attachment as are reasonably available to it;

DONE AND ORDERED in Chambers at New York, New York, this 1st day of March, 2013.


UNITED STATES DISTRICT JUDGE
Jesse M. Furman
United States District Judge
Southern District of New York